lo- 25-03

AMENDMENT TRANSMITTAL LETTER (Large Entity) Applicant(s): Mueller, Rainer, et al.							Docket No. RDID0073US		
Serial No. 09/911,132			g Date 23, 2001	Į.	Examiner Maria B. Marvich, Ph.I		Group Art Unit		
Invention EXPRESSION OF ALKALINE PHOSPHATASE IN YEAST  JUN 2 4 2003 5									
TO THE ASSISTANT COMMISSIONER FOR PATENTS:  Transmitted herewith is an amendment in the above-identified application.  The fee has been calculated and is transmitted as shown below.  PATENT TRADEMENT OFFICE									
			CLAIMS A	AS AMENDED	)				
		S REMAINING AMENDMENT	HIGHEST #		ER EXTRA	RATE		ADDITIONAL FEE	
TOTAL CLAIMS	10	<b>o</b> -	20 =			x \$18	3.00	\$0.00	
INDEP. CLAIMS	5	<u> </u>	8 =	:	0	x \$84	.00	\$0.00	
Multiple Depende	nt Claim	s (check if appl	licable)					\$0.00	
			TOTAL ADDITIO	NAL FEE FO	R THIS AME	ENDMENT	- <u> </u>	\$0.00	
	<del></del>							RECEIVEL	
□ No additional fee is required for amendment.  □ Please charge Deposit Account No. 02-2958 in the amount of A duplicate copy of this sheet is enclosed.  □ A check in the amount of to cover the filing fee is enclosed.  □ TECH CENTER 1600/29  □ A check in the amount of to cover the filing fee is enclosed.  □ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-2958.  A duplicate copy of this sheet is enclosed.  □ Any additional filing fees required under 37 C.F.R. 1.16.  □ Any patent application processing fees under 37 CFR 1.17.  □ Dated: June 24, 2003  Signature  Kenneth J. Waite, Reg. No. 45,189  Roche Diagnostic Corporation  9115 Hague Road, Bldg. D									
Indianapolis, IN a Telephone No.: ( Facsimile No.: (	46250-04 (317) 521	157 -3104	1		on first class ma	ail under 37 C	with C.F.R. 1	nd fee is being deposited the U.S. Postal Service as 1.8 and is addressed to the atents, Washington, D.C.	

cc: Via Express Mail Label No. EL566557760US

Typed or Printed Name of Person Mailing Correspondence

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CERTIFICATE OF MA		MAIL" (37 CFR 1.10)	Docket No. RDID0073US
Serial No. 09/911,132	Filing Date July 23, 2001	Examiner Maria B. Marvich, Ph.D.	Group Art Unit
JUN 2 4 2003 5	DF ALKALINE PHOSPHAT	TASE IN YEAST	RECEIVED
TRADEPARTIES			TECH CENTER 1600/2900
I hereby certify that this		Response and Amendment (Identify type of correspondence)	
37 CFR 1.10 in an envelop June 24, 200 (Date)	3. PO BOX 1	tant Commissioner for Patents, Was 450 IA, VA 22313–1450 EL566557760US	
		(Typed or Printed Name of Person Mailin	
		(Signature of Person Mailing Corr  Janine Schumm  ("Express Mail" Mailing Label	
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	Note: Each paper must l	nave its own certificate of mailing.	

Docket No. RDID 0073 US

Application No.: 09/911,132

**PATENT** 

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# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mueller, Rainer, et al.

Group No.: 1636 JUI

JUN 3 0 2003

Filed: July 23, 2001

Examiner: Maria B. Marvich, PhD

TECH CENTER 1600/2900

For: EXPRESSION OF ALKALINE PHOSPHATASE IN YEAST

Assistant Commissioner for Patents Washington, D.C. 20231

### RESPONSE AND AMENDMENT

Please enter the following amendments and new claims in response to the Office Action mailed December 24, 2002. A Petition for Extension of Time for a three month extension is filed contemporaneously.

### IN THE SPECIFICATION:

Please enter the substitute abstract that is attached hereto. The Examiner requested a substitute specification under 37 CFR 1.52(a) and (b). Applicants assume that an entire new copy of the specification is not needed, but rather an amended version of the Abstract will suffice. The undersigned Attorney for the Applicants hereby states that the substitute abstract contains no new matter.

# IN THE CLAIMS:

Please cancel claims 1 through 5 and 8 through 15. Please enter new claims 16 through 23 as shown on the attached sheets.

### **REMARKS**

New claim 16 is similar to previous claim 1, but is being submitted as a new claim to make it simpler to read the claim as submitted. In the Office Action, the Examiner rejected claim 1 and dependent claims because of the phrases "utilized" and "are used" were present without